

IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA
NORMAN LEE ALDERMAN

Petitioner,

Civil Action No. 06-AA-143
(The Honorable Irene Berger)

POCAHONTAS COUNTY BOARD OF EDUCATION,

Respondent.

REQUEST FOR STATUS CONFERENCE

Petitioner, Norman Lee Alderman, respectfully requests the court to set a status conference hearing so that he may be made aware of the court progress toward a decision regarding his April appeal of the administrative law judges decision. Petitioner has been was illegally terminated April 25, 2006, nearly 17 months ago. There was a judicial mishap that resulted in the complete record not being available at the scheduled time in April and this delayed the proceedings until June 11 at which time the court indicated that it has the complete record. This means that over 90 days have expired with no final decision. Petitioner has dismissed his counsel for failure to monitor the proceedings. Petitioner is ready to proceed to an appeal before the West Virginia Supreme Court but cannot do so until this process is finalized.

This is a matter of making a living. Petitioner financial resources are limited and he cannot continue to wait for a decision. Furthermore, the statute of limitations is running on the school board embezzlement which he reported and has resulted in his termination.

My speech clearly involves matters related to my duties as a citizen to speak out against corrupt activity in the school system. Both the *Pickering* and *Garcetti* decisions support me in this case. These cases are straight forward and current.

The judicial canon speaks directly to this matter: *Our legal system is based on the principle that an independent, fair, and competent judiciary will interpret and apply the laws that govern us. The role of the judiciary is central to American concepts of justice and the rule of law. Intrinsic to all sections of this Code are the precepts that judges, individually and collectively, must respect and honor the judicial office as a public trust and strive to enhance and maintain confidence in our legal system. The judge is an arbiter of facts and law for the resolution of disputes and a highly visible symbol of government under the rule of law.*

The length of time involved in this appeal is nothing less than an embarrassment to the judiciary. Why would it take 17 months to decide an appeal on a case of termination?

Petitioner recognizes that he has asked this court to investigate the illegality authority of attorney Greg Bailey to serve the Board of Education in this matter. If this is the reason for the delay, please accept his apologies. Petitioner reiterates his request for a judicial investigation of his claims of embezzlement by the Board of Education and State Senator Walt Helmick.

This case involves charges that a board member committed adultery and that the school superintendent and the school treasurer embezzled money from the school system. Petitioner believes that a delaying action in this matter is resulting in the statute of limitations running to the detriment of the people of Pocahontas County and that this matter is being delayed to provide cover for State Senator Walt Helmick who was involved in the theft of these same funds which came from the governor's office. Petitioner asks this court to investigate his charges and assist in the prosecution of these charges before the courts.

Petitioner reminds this honorable court that this is a whistleblower action. Petitioner was illegally and unlawfully dragged from an open public meeting. For this, the board officially apologized and paid \$10,000 in attorney fees. Now it appears that the courts and the attorneys are dragging petitioner through the judicial system.

Included in the record is a video tape of the actual meeting in question and the accompanying briefs are well written and lay out petitioner's civil rights in this matter.

Norman Lee Alderman
Pro Se

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CERTIFICATE OF SERVICE

I, Norman Lee Alderman, pro se, do hereby certify that true and correct copies of the foregoing **REQUEST FOR STATUS CONFERENCE** was served upon counsel of record herein by placing true and correct copies thereof in properly addressed envelopes and by placing said envelopes in the regular course of the United States Mail on September 18, 2007 addressed as follows:

Greg Bailey, Esquire
Bowles, Rice, McDavid, Graff & Love
P.O. Box 1386
Charleston, WV 25325-1386

Norman Lee Alderman